

## GIVE HEARING TO HONDURAS MEN

Counsel for Lottery Company Appear Before Government Attorney

## LIABLE TO FINES OF SOME \$360,000

Government Claims Violation of Act Under Which Louisiana Lottery Was Driven Out—How Prosecution Came About.

BY WALTER EDWARD HARRIS.  
WASHINGTON, D. C., February 4.—A hearing was accorded to the legal representatives of the Honduras Lottery Company today. The conference between them and the attorneys of the Department of Justice began at 2:30 and lasted all the afternoon. Nothing tangible was decided.

The lottery people, plainly speaking, are asking for quarter, promising to go out of business and be good. The government is not satisfied with promises of good behavior merely, and evidently intends to insist upon something positive, as most palpably deserved. In view of the fact that the company is taken as the licensee of the old Louisiana Lottery Company, to suppress and destroy which for all time that business and all other lotteries, an act was passed by Congress in 1890.

It is under that act that the prosecution is to proceed. The conferring district attorneys, summoned here by the department, are going over the evidence to-night with the chief of the secret service.

## Liability to Big Fines.

Under the act which has been violated, as the government alleges, the lottery company is liable to fines which will aggregate \$360,000. W. J. Demarest, president of the company, and Michael O'Donnell, attorney for it, of New Orleans, as well as Jos. H. Lyons, local attorney at Mobile, are here looking after the interests of the accused men, and were in the conference today. The conference between the lottery people and the department officers is likely to last several days.

The evidence in the hands of the department was secured largely by raids simultaneously made by the secret service on January 23 in twenty different cities upon many agencies. Among the cities in which agencies operated besides Mobile and New Orleans, are Memphis, Nashville, Richmond, Birmingham, Louisville, Cincinnati and largely in Chicago. It is said that among the stockholders of the company, besides the Louisiana Lottery people in New Orleans, are one rich man each in Boston, Brooklyn, Wilmington, Del., and this city.

## Having Tickets Printed.

The first step taken by the government was the arrest of John H. Rodgers, a wealthy Wilmington man, who was having lottery tickets printed.

The government worked carefully on the case for some time. The first evidence was obtained through W. H. Armbricht, district attorney for the Southern District of Alabama. It was through his work, assisted by the secret service, that the raid was made at Mobile, where prize lists bearing advertisements were seized. Then followed the summoning of district attorneys to Washington to confer with Assistant Attorney General Cooley and Solicitor-General Hoyt.

## UNIVERSITY LAUGHS AT STUDENT'S PRANK

Alleged Pistol Duel, in Which Blank Cartridges Were Used, Tests Georgian's Courage.

(Special to The Times-Dispatch.)  
CHARLOTTESVILLE, VA., February 4.—All the university is talking about the story in the College News, the university newspaper, of Saturday, purporting to give a report of an altercation between two students, one of which is said to be seriously wounded in the pistol duel which followed a fist fight. To those on the inside the whole thing was a big joke from the start. The purpose of the alleged duel in which blank cartridges were used, was harmless, and the result highly amusing to some and terribly serious to others who were purposely left in the dark. The whole thing was gotten up to test the courage of a Georgian student, the reputation of whose bravery had traveled far and wide.

## NORTH CAROLINA GIRL SCORES BRILLIANT SUCCESS

(Special to The Times-Dispatch.)  
BOSTON, MASS., February 4.—One of the principal numbers on the program of a public recital given this afternoon by pupils of the New England Conservatory of Music was that of Miss Mary Elizabeth Furell, of Scotland Neck, N. C. Miss Furell gave Palestrina's theme and variations in a major on the piano forte, scoring a brilliant success and winning high praise from the critics present. The recital for her achievement in the future, and said that her work spoke volumes, not only for herself, but for instruction at the conservatory.

## Mrs. Longworth Improving.

WASHINGTON, D. C., February 4.—Considerable improvement was shown in the condition of Mrs. Alice Roosevelt Longworth, wife of Representative Longworth, of Ohio, who has been confined to her home for several days, was an early caller at the Longworth residence today to inquire as to the condition of her daughter.

## PROBE LIBRARY MATTER DEEPLY

Schoolbook Committee Reconvenes Here This Morning

## MR. KENNEDY TO BE THE STAR WITNESS

Mr. Torrence Will Testify First. Librarian Must Say Who Wanted Him to Write History—Will Go Into Other Matters.

After a recess of several weeks, the schoolbook inquiry will be resumed in the Senate chamber this morning, and it looks now as if the rest of the hearing will relate mainly to the purchase of books for traveling school libraries by Mr. J. P. Kennedy, the present State Librarian.

The first witness will be Mr. William Clayton Torrence, an attaché of the library, and he will tell what he knows about the alleged offer of a book concern to Mr. Kennedy of a certain amount to write a history of Virginia. The librarian will follow, and will probably occupy the stand for as much as two days.

"I am confident that I will be able to satisfy the committee on every point raised," said Mr. Kennedy when seen in his office, pointing at the same time to a great mass of documentary evidence which he will invoke in his behalf.

"Will you have an attorney?" he was asked.

"I will represent myself," was the quick reply.

When Mr. Kennedy takes the stand interest in the inquiry will be revived, and from what can be learned, Chairman Byrd and his colleagues are going to ask some very striking questions.

## Must Call the Name.

The committee has determined to require the librarian to give the name of the person or corporation from whom he had the offer to write a book, and it is said that his answer will be that it was a relative.

Anyhow he will be asked this among the first questions. There are other matters upon which Mr. Kennedy will be interrogated, which promise to furnish interesting reading.

Chairman Byrd has been here for several days. He is at the Hotel Allen, and was in conference yesterday with one of his colleagues, Mr. Cox.

Senator Strode, the other member of the committee, is expected this morning, and the session is scheduled to begin at 10 o'clock.

## Refused to Bid.

The time for receiving bids under a recent advertisement by the librarian for books for the traveling libraries expired yesterday. The Bell Book and Stationery Company and Hunter and Company did not bid. They sent letters giving their reasons. They follow and explain themselves:

"Richmond, Va., Feb. 2, 1907.  
Wednesday, fair, cool, northeast winds, becoming north.

"Dear Sir:—As a practical bookman, having purchased since I have been in the business probably fifty times as many books as you have purchased in your capacity as State Librarian, this company is unwilling to submit a bid for the list of books set forth in your favor of the situation.

"Our reason for this decision, to be perfectly frank, is as follows: 'The chief reason for our refusal to bid is that we are unwilling to compete for business under conditions which we feel are not entirely equitable. We do not pretend to say what animus may have actuated you in prescribing restrictions which, in our opinion, are unnecessary, but which, nevertheless, you demand shall be fulfilled to the letter, or in demanding that the bids be turned in before this library matter is settled. We only know that to any practical, unprejudiced bookman, or to any fair-minded person of reasonable intelligence, must appear ridiculous as well as unfair, when the accompanying circumstances, and the rigid conditions prescribed, are considered.'

"We thank you, however, for the opportunity to state our position, and to say that we are perfectly aware that our refusal to bid on this list of books may be unfairly construed to mean that we are refused to bid because we are afraid to bid. Such a conclusion to a practical, unprejudiced bookman, or to any fair-minded person of reasonable intelligence, must appear ridiculous as well as unfair, when the accompanying circumstances, and the rigid conditions prescribed, are considered."

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## COURTROOM SKETCHES OF EVELYN NESBIT THAW, BY ARCHIE GUNN



## CITY IN GRASP OF BLIZZARD

Storm Was General Over State, Snow Falling in Many Cities.

## SUFFERING AMONG THE POOR

## Forecast for Virginia.

Snow Tuesday, followed by fair in the afternoon; colder on the coast. Wednesday, fair, cool, northeast winds, becoming north.

The Weather Bureau prophecy of rain or snow for yesterday and last night was fully justified by the facts, as the clouds sent both, together with a northwest wind which froze the rain as it fell into a fine white fog, which cut through every wrapping, stifling hands, faces and ears of all who ventured into the streets. More than three inches of the combined sleet and snow had fallen last night, and there seemed no prospect of relief. Reports received from other points indicated that the storm was general over the State, snow falling in many cities.

The heavy weather has occasioned some delay in the street car service here, especially on the suburban lines, the snow in some cases causing a short circuit of the current, resulting in several disabled cars. The lines were kept open, however, throughout the city, and as soon as the streets were cleared of teams at night the big snow sweepers were put to work on the Broad and Main lines.

Superintendent Buchanan, of the Passenger and Power Company, was last night that although there had been some delays and temporary blockades, all the lines were being operated, and he thought they could be kept open by using the sweepers all night. A large force of men were at work sanding the tracks, and though there was much slipping of cars, no serious accident was reported during the day.

A large number of horses fell on the slippery streets, and in some cases traffic was much delayed, at one corner it being reported that twenty-seven horses had fallen during the day.

At some particularly slippery points Superintendent Cohn, of the Street Cleaning Department, had ashes and sand sprinkled, and this proved a great help to the struggling teams.

Condition of Poor.

The cold spell has caused quite a run on the missions of the city. At the Askefeldt, Charles the piano was last busy with requests from the poorer quarters, fuel and clothes being most in demand. The work of this institution, under the direction of the Rev. Dr. James

## THAW LOOKS DOWN AS VICTIM'S SON TESTIFIES

Homer Davenport, the Noted Cartoonist and Sketch Artist, Describes the Defendant and Stanford White's Son.

BY HOMER DAVENPORT.  
(Special to The Times-Dispatch.)

NEW YORK, February 4.—Harry Thaw never lifted his eyes from the table in front of him when Lawrence Grant White, son of the murdered architect, took the stand.

At other witnesses he looked minutely, though he seemed to know just what each would say.

When his eyes were not on the witnesses or staring at the table, the prisoner was opening square envelopes and reading their contents. I could not help noticing these letters, from one of which he took a small silver bangle, and from another a small American flag, both of which he quickly put in an inside coat pocket.

Harry Thaw was the only person in the courtroom that was not held in by the personality of young Mr. White.

I have never seen a more striking young man than this nineteen-year-old son of Stanford White. He was the kind of a young man a father would wish for a son—tall, well built, and handsome as a man could be, without being vain or arrogant. There was a slight difference in his eyes that gave great character to his fine-shaped face and head, and his voice was one of those voices yet so seldom heard, especially in court-rooms—a voice that rings with fearless truth.

I noticed how the judge feasted his eyes on this young man, and how he impressed the jury. Mrs. Carnegie, sister of the one who had shot his father, fairly gasped with intense interest as she listened to his words.

## NEGRO SERGEANT FIRST ON STAND

First Day of Investigation by Congress Committee of Brownsville Affair.

WASHINGTON, February 4.—The investigation by the Senate Committee on Military Affairs of the Brownsville (Tex.) affair was begun today. A score of negro soldiers of the Twenty-fifth Infantry, discharged from the army without honor because of their alleged participation in the shooting up of the Texas town, were in attendance when the committee began its first sitting. There was only one white man in the group of witnesses.

Senator Foraker took charge of the calling of witnesses, and first summoned Sergeant Israel Harris to the stand. He was questioned by Senator Foraker, and said he is now employed as a porter in a bank in Boston. He explained the position he had held in D Company, and was then interrogated concerning the happenings at Fort Brown on the night of August 13-14.

In reply to questions, he said that on that night "we had some disturbance—some shooting, I mean. I was asleep in D barracks, and at about 12 o'clock I was aroused by the noise of gunfire. I put on my trousers and shoes, but no blouse or leggings. Then there was the sound to arms, and D Company got

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## FOSTER CASE IN SUPREME COURT

Writ of Prohibition to Be Passed Upon by Highest Tribunal To-Day.

## COLONEL TURK HAS RESIGNED

With the action which will probably be taken by the State Supreme Court today in the long-drawn-out controversy over the management of the Eastern State Hospital, a finality in the now famous case is expected.

According to officers of the court, it is not necessary that either Judge Tyler or Dr. Foster shall make personal appearance, though it is likely that both will come. They will be represented in answer to the writs of prohibition by Messrs. Lawless & Jeffers, both of whom spent yesterday at the State Law Library consulting authorities with reference to the case. They will appear at 10 o'clock this morning before the Supreme Court to file and argue their answer to the petition for the proposed writs.

Hon. Epas Hinton, Jr., will appear for the board, and Attorney-General Anderson for the State.

Resignation of Turk.

So far as the end of the situation is concerned, it was quiet yesterday, except for the fact that Colonel R. S. Turk, of Staunton, sent the Governor a warm letter, resigning from the special board of the Western State

(Continued on Seventh Page.)

## DEMANDS MEAL IN WHITE RESTAURANT

Danville Negro Gets Severe Beating for His Insolence—Also Locked Up.

(Special to The Times-Dispatch.)  
DANVILLE, VA., February 4.—Charles Harvey, a negro, strolled into the Main Street Lunchroom, a white restaurant, this afternoon, and gave his order for a meal. When informed that negroes were not served at the place, he made himself objectionable, and declared that he was as good as any white man they had ever served. A number of whites were in the restaurant, and attacked the black man. He was thrown bodily to the street, and but for the arrival of a number of police officers on the scene in a short time, he would have no doubt been badly beaten. As it was, Harvey received a severe beating. He was locked up on the charge of being drunk and creating a disturbance.

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## INSANITY, PLEA ON WHICH THAW BASES HIS HOPE

Believed He Was Acting as Agent of Providence in Slaying White.

## MOTHER AND WIFE TO GO ON STAND

Counsel Assert That Story of Man's Hereditary Insanity Will Be Told by His Nearest of Kin—Prosecution Presents Its Case in Two Hours.

NEW YORK, February 4.—The State laid its case against Harry K. Thaw today—a plain, emotional story of the shooting on the Madison Square Roof Garden, leaving the malice and the motive to be inferred from the act—and the defense replied with a plea of hereditary insanity.

It was asserted that Thaw, in slaying Stanford White, believed he was acting as an agent of Providence; that real or fancied wrongs committed against him by the architect and former friend of his wife had bubbled in his brain, until at last there came the explosive impulse to kill. When the deed was done Thaw made no move to escape its consequences, but holding the fatal revolver aloft, he stood as if mutely proclaiming to the world: "The deed is done; it was right; it was not wrong."

Thus Thaw's counsel outlined his case to the jury this afternoon, after the prosecution had occupied less than two hours of the morning sitting of the court when the case against Thaw was introduced in the narrative of the tragedy. When the defense had interposed its plea, and outlined its case an adjournment was taken until tomorrow morning, when the first witnesses in Thaw's behalf will be heard.

## To Tell of His Insanity.

"You will hear the story of this man's insanity," Attorney John B. Gleason, for the defense, promised the jury, "from his mother, from his wife, from his relatives and from his physicians. You will judge him by his acts, by the heredity and stress which entered into his madness, and when you come to judge him you will say to yourself that his act may have been one of insanity, but it was not one of crime."

That Thaw's wife was to be one of his most important witnesses has long been known; that his mother, Mrs. William Thaw, of Pittsburg, was to take the stand only became known positively today when the court enforced the rule excluding from the courtroom all witnesses save experts. Thaw's mother, at the command, left the room after a moment's hesitation. She seemed unwilling to be asked to reveal her son in the hour of his need. His wife, too, reluctantly left the room, bestowing a last radiant smile of courage and hope upon her prisoner husband. May MacKenzie was the third of the women who have been drawn into the Thaw party to leave the courtroom.

Thaw seemed dejected. Many times last week during the dull days of jury selection he turned to his wife for comfort, and then at the hour of the trial, with a quick responsive smile. Now that the serious work of the trial was to begin he was to be denied her presence.

## Thaw Cast Down.

During the opening address by Mr. Gleason, in which he entered the defense of insanity, Thaw again looked down at his hands, which at times were buried in his hands, and with eyes cast down upon the table before him. He seldom looked up. Just a fleeting glance now and then at the counsel who were ready to make the case for him.

There was another period—during the prisoner's session when Thaw again looked only at his hands, clasped before him on the table. This was when Lawrence White, the son of Stanford White, occupied the stand as the first witness in answer to the writs of prohibition by Messrs. Lawless & Jeffers, both of whom spent yesterday at the State Law Library consulting authorities with reference to the case. They will appear at 10 o'clock this morning before the Supreme Court to file and argue their answer to the petition for the proposed writs.

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## Brain Disease.

"The reason for this refusal you will hear from her lips," announced Mr. Gleason, "Suffice it to say the reason had to do with an incident in her life with reference to Stanford White."

That is the story that the defense lawyer declared that brain disease had hold of Thaw some three or four years ago. It was recalled that there have been many cases where a person has been pronounced insane from the much discussed defense of emotional insanity.

"You must disabuse your minds of all you have read in the newspapers, and especially of the idea that has gone abroad that we are to rely upon some higher or unwritten law. We rely upon the Constitution and the laws of the Imperial State of New York, and upon them alone. You will understand this

upon a single act," he added. "It will be shown that there was insanity on both sides of this defendant's family. Heredity has made us what we are; heredity has made the living world. Our case is the removal from the much discussed defense of emotional insanity."

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